

**Camden Select Board
Minutes of Meeting
July 19, 2011**

PRESENT: Chairperson Martin Cates, Vice Chairperson Morgan Laidlaw, John French, Jr., James Heard, Donald White, and Town Attorney William Kelly. Also present were members of the press and public.

ABSENT: Town Manager Roberta Smith

Contents

1. Public input on non-agenda items.

- a. Resident Nancy Caudle Johnson came before the Board raising a point of order regarding the public input on non-agenda items by the Select board Chair at the July 5, 2011 Select Board meeting. Her concerns are attached in writing and also a transcript she typed of that portion. It should be noted that the Select Board has not viewed the transcript of the meeting from their Board secretary.

Board member White commented that perhaps the Board should revisit the CMP discussion by inviting them back and open it up for the public to speak to allow questions to be asked and answered.

Vice Chair Laidlaw stated he felt last week's agenda item was a presentation not a discussion and ruling of the Chair was correct.

Board member Heard stated being new on the Board he apologizes if the Select Board rules were not followed properly.

Board member French stated first all last week was not a public hearing and he feels the rules were followed and the Select Board's position has always been to seek public input.

2. **Consideration of an ordinance which would establish a PACE (Property Assessed Clean Energy) program to help Camden homeowners gain access to financing for energy savings improvements.** The Energy Committee unanimously endorsed at their June 6, 2011 meeting to move forward to the voters in November a PACE ordinance.. Town Attorney Kelly in a legal perspective he has no issues. As he recalls when the Board discussed this last fall the Select Board had some procedural and functional issues that had been brought up and those things have been clarified. Code Enforcement Officer Wilson reported Maine is one of the first states to issue these loans. They have closed out on three loans locally and have another 1,500 in the pipeline. It's a program that is actually taking off and more towns are starting to jump on Board.

Resident Anita Brosius-Scott – stated she attended the PACE discussion which was hosted by the Island Institute on the 10th of May. At that point there were 68 communities that had signed on. As she understands it \$30 million dollars was awarded by the Federal government the initial funding for this program; \$20 million of it is going to the funding of the loans and \$10 million of it is towards administration. The communities that sign onto PACE are welcome to administer the loans themselves or they can sign a contract with Efficiency Maine to do it for

them. Efficiency Maine has the money to do that administration. All the communities that have signed on so far have asked Efficiency Maine to administer the loans. This is a three part program in terms of community responsibility. First is that you pass the Ordinance that enables you to participate, second is you wish Efficiency Maine to administer then sign a contract and agreement with them, and third is education which is the communities responsibility to educate people about the availability of these loans. The loans range from \$6,500 to \$15,000 and they are at 4.99 % and they function like a home improvement loan and are recorded at the registry as a lien.

John French made a motion to schedule a public hearing in September for a proposed PACE (Property Assessed Clean Energy) Ordinance for the November 8, 2011 Special Town Meeting. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

Moved ahead to #9

9. **Consideration of application of Mark Hannibal & Meg Cressler d/b/a Marco Loco, LLC for a new victualer license on 44 Elm Street.** The owners have secured a private location that meets zoning requirements for their mobile wagon. The application has been reviewed and approved by the Codes Officer and the Fire Chief.

Morgan Laidlaw made a motion to approve the Victualer's license for Marco Loco, LLC as requested. John French seconded this motion. The motion passed on a 5-0-0 vote.

Went back to #3

3. **Presentation by Laurie Wolfrum and Nancy Caudle-Johnson of the Camden Smart Meter Coalition regarding concerns about Smart Meters.** Nancy Caudle-Johnson of Pearl Street made a presentation about the hazards of the new CMP smart meters. She wanted people to be aware they do have the right to opt out. She mentioned several things that we were lead to believe were safe and wouldn't harm us and then find out later they do cause serious health problems such as DDT, cigarettes, lead paint, arsenic, x-rays, nuclear power.

This is not a political decision. People really need to think about it personally because it can affect you and your family. The CMP representative at the last Select Board meeting told us these were safe. What he didn't tell you was Ibedrola Spain owns Central Maine Power. Everybody should know that. It's not a Maine-owned company, anymore. Ibedrola is not allowed to install these smart meters in Spain; they're outlawed by the European Union. Canada won't have them. Bangor Hydro wouldn't install them, because they are not hardwired and they can cause serious health problems.

She stated the only reason she has been writing articles and am coming before the Board is to let people know. It's not fair that CMP is charging people who want to keep their old meters. These things have real health effects despite the assurance of the CMP representative who said they wouldn't be putting in smart meters until the end of the summer and smart meters are already being installed in Camden.

She suggested that the town hold a forum where a representative of CMP and an informed opponent of smart meters, such as Elisa Boxer-Cook of the Smart Meter Safety Coalition, could take questions and address concerns from citizens.

Resident Laurie Wolfrum also spoke about the health and environmental effects of smart meters. (Attached is the letter she read with her statements)

Nancy Caudle-Johnson also spoke on the recent ordinance in Bath against smart meters. The "opt-in" ordinance included a 180-day moratorium on the devices, as well as a clause that requires CMP to get permission from homeowners or primary residents before installing a smart meter. Legal discussions on whether the ordinance can be upheld are still ongoing.

She finished by saying that anyone who wished to opt-out, even if a smart meter has already been installed on their house, should send a letter to or call Rachel S. Grenier, Director of Customer Service, CMP Iberdrola, 83 Edison Drive, Augusta, ME 04336 (phone 623-3521) and state an intention to opt-out. She also advised that anyone interested in opting out should send a copy of that letter to the Public Utilities Commission.

Those who opt out will have to pay \$40 up front and a further \$12.50 a month to keep their analog meter. She also advised anyone who has opted out to put a sign on their analog meter stating that they have done so, and that they have received authorization from CMP or the PUC to do so. She said that several smart meters have been installed by mistake on houses that opted out.

Board member Heard asked Nancy if she was asking Camden to adopt a moratorium as Bath had done, or if she simply wished to inform people. She stated that her primary concern was that people should be informed about the risks and their choice to opt out, but she was concerned that the way CMP was replacing the meters without informing homeowners took the decision out of their hands.

Board member White asked if the town has any role in this at the moment.

Town Attorney William Kelly said the Select Board could ask for more information and be proactive to try to understand the issue better. He stated he looks at the issue as a novel issue and it's not clear whether or not a municipality has the authority to enact an ordinance in this area. It seems to him more likely than not that if the town did pass an ordinance and it was challenged in court it would be found that the town didn't have the authority to do that. Until there is a court decision we can't know for sure.

Laurie Wolfrum added that CMP has tried to convince some people to switch to one-way meters over analog, for which homeowners are only charged \$10.50 a month. These meters still produce radiation.

Resident Beedy Parker stated it just made her mad that she would have to pay to opt out. She was not considering that option until after CMP came and installed a smart meter on her house without telling her. She got more information on smart meters and then decided she wanted to pay to opt out. We really need to know more about it, and she does not want to pay to opt out.

Resident Brenda Barrett stated over a year ago she went along with a substance that her employer said was harmless and she ended up with speech problems and memory problems and balance and perception problems and the maker of the product had a big disclaimer saying they didn't stand behind the product. She would hate to have anyone else end up the way she is because of going along with something because they were told it was harmless.

The Select Board took the information under advisement and did not make any decision about organizing an informational forum.

Went ahead to #5

- 5. Consideration of a new application for a Hawkers & Peddlers license for Northeast Ice Cream of So. Portland to peddle ice cream on town public ways.** Town Attorney Kelly stated the Hawkers & Peddlers license does not cover this type of business. They need to associate their use with real property by obtaining approval from a private landowner and go through the victualer process.

John French made a motion to deny the application of Northeast Ice Cream of So. Portland for a Hawkers & Peddlers license. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

At 8:30 John French made a motion to close the public portion of the meeting and to enter into executive session. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

The Board came out of executive session at 8:40 pm.

- 15. Consideration and action to authorize a Rule 80K enforcement action for a use violation for the keeping of pigs regarding Roxanne Bowen, 96 Riverside Drive. 1 MRSA 405(6)E.**
No action was taken on this item.

- 16. Consideration and action to authorize prosecution regarding a dangerous building owned by Rosalie Alderson, 6 Gosses Hill Road. 1 MRSA 405(6)E.**
John French made a motion to authorize prosecution regarding a dangerous building owned by Rosalie Alderson at 6 Gosses Hill. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

Went back to item #7

- 7. Confirmation of Camden Public Library Trustee Deborah Dodge.** The Trustees have appointed one new Trustee, Deborah Dodge of Camden.

John French made a motion to confirm the appointment of Deborah Dodge to the Camden Public Library Board of Trustees. James Heard seconded this motion. The motion passed on a 5-0-0 vote.

Went back to item #4

- 4. Approval for Camden Rockport Pathways Committee to apply for a National Park Service Rivers and Trails Conservation Assistance program.** Geoff Scott, CR Pathways Chair, came before the Board requesting permission to apply for a grant for the riverwalk project. The grant is through the National Park Service Rivers and Trails Conservation Assistance program. The mission of the Rivers, Trails and Conservation Assistance program (RTCA) is to assist community-led natural resource conservation and outdoor recreation initiatives. RTCA staff provides guidance to communities so they can conserve waterways, preserve open space, and develop trails and greenways. This grant is for professional services only; it does not involve funding for any projects. The due date for the application is Aug 1st.

After Board discussion, John French made a motion to approve Camden Rockport Pathways Committee applying for a National Park Service River and Trails Conservation Assistance Program grant contingent on the town's Development Director reviewing and signing off on the grant application. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

Went back to #6

- 6. Consideration of the request to close the lower Pearl Street block from Free Street to Norwood Avenue on Sunday, August 7th from 4:15 pm to 9:15 pm for their annual block party.** This request is for their annual block party.

John French made a motion to approve the request for street closure on Sunday August 7, 2011 from 4:15 pm to 9:15 pm. James Heard seconded this motion. The motion passed on a 5-0-0 vote.

Went back to #8

- 8. Approval of application from CMP for a pole location for Limerock Street & Chestnut Street.** Board member French stated Public Works Director Rick Seibel stopped by to see him today to let him know the map that CMP provided puts the pole they are requesting in the middle of the sidewalk. The history with the pole is that it feeds the kitchen to the Camden Harbor Inn and it was braced off by a tree that has since died. They now need a guide wire. There were three options they had to choose from either place a new pole, find another tree to brace off, or place on the neighbor's lawn. French recommends denying the application to give CMP the opportunity to discuss options again with Public Works, the resident, and the neighbors.

John French made a motion to deny the CMP pole location as requested. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 9. Consideration of renewal victualer license applications for:** These applications have been reviewed and approved by the Codes Officer and the Fire Chief.

- a. Grand Harbor Inn at 14 Bay View Landing**
- b. Zoot Coffee at 31 Elm Street**
- c. Marriner's Restaurant at 35 Main Street**

John French made a motion to approve the Victualer's License renewals as listed. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 10. Consideration of the following Taxi Cab Driver License applications:** Background investigations have been completed and the Police Chief has signed off on the applications.

- a. Ricky Simpson driving for Hit the Road Taxi**
- b. Vernon Lee Thompson driving for Schooner Bay Taxi**

John French made a motion to approve the applications a & b as listed above. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 11. Consideration of Taxicab Business License for Barbara Simpson, d/b/a Hit the Road. A background** investigation has been completed and the Police Chief has signed off on the application.

John French made a motion to approve the Taxicab Business License for Hit the Road. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 12. Consideration of nominees for MMA's Vice President and Executive Committee.**

John French made a motion to nominate Stephan Bunker for Vice President for a one year term; and to nominate Errol Additon, Beuromond Banville, and Laurie Smith as Board of Directors for three years. Donald White seconded this motion. The motion passed on a 5-0-0 vote.

13. Committee Reports

Planning Board: Donald White reported at tomorrow night's public hearing there will be a public hearing on the latest draft that will allow for Historic Districts.

John French made a motion to adjourn at 9:15 pm. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Janice L. Esancy
Recording Secretary